

# SENATE . . . . . No. 2619

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## The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court  
(2023-2024)

SENATE, February 8, 2024.

The committee on Education, to whom was referred the petitions (accompanied by bill, Senate, No. 255) of Brendan P. Crighton for legislation to access after school and out-of-school time programs; (accompanied by bill, Senate, No. 264) of Sal N. DiDomenico for legislation to ensure high quality pre-kindergarten education; (accompanied by bill, Senate, No. 265) of Sal N. DiDomenico and Vanna Howard for legislation relative to rates of payment for early childhood education and care programs; (accompanied by bill, Senate, No. 275) of Paul R. Feeney for legislation relative to licensed care and financial resource information for parents of newborns; (accompanied by bill, Senate, No. 284) of Adam Gomez for legislation to create a disproportionate share childcare provider fund; (accompanied by bill, Senate, No. 296) of Edward J. Kennedy, Patrick M. O'Connor and James B. Eldridge for legislation relative to universal prekindergarten access; (accompanied by bill, Senate, No. 301) of Jason M. Lewis, Susan L. Moran, Robyn K. Kennedy, Liz Miranda and other members of the General Court for legislation to provide affordable and accessible high quality early education and care to promote child development and well-being and support the economy in the Commonwealth; (accompanied by bill, Senate, No. 317) of Liz Miranda, Lydia Edwards, Patrick M. O'Connor and James B. Eldridge for legislation relative to universal prekindergarten access; (accompanied by bill, House, No. 179) of Kenneth I. Gordon and others relative to large family child care homes; (accompanied by bill, House, No. 428) of Brian M. Ashe relative to the mandatory minimum age for children to attend kindergarten; (accompanied by bill, House, No. 435) of Antonio F. D. Cabral and others relative to compulsory full-day kindergarten; (accompanied by bill, House, No. 436) of Antonio F. D. Cabral and others for legislation to establish universal pre-kindergarten commission and dedicate funding for pre-kindergarten offerings; (accompanied by bill, House, No. 456) of Marjorie C. Decker for legislation to expand access to family, friend, and neighbor-provided childcare administered by the Department of Early Education and Care; (accompanied by bill, House, No. 489) of Kenneth I. Gordon, Adrian C. Madaro and others relative to providing affordable and accessible high-quality early education and care to promote child development and well-being and support the economy; (accompanied by bill, House, No. 501) of Vanna Howard and others relative to u; (accompanied by bill, House, No. 513) of

Hannah Kane and others that the Department of Early Education and Care promulgate regulations requiring that private child care programs ensure that license-exempt programs serving infants through kindergarten-age children comply with basic health and safety standards; (accompanied by bill, House, No. 514) of Patrick Joseph Kearney, Simon Cataldo and others relative to tuition-free universal full-day kindergarten; (accompanied by bill, House, No. 566) of Lindsay N. Sabadosa and others relative to ensuring high quality pre-kindergarten education; (accompanied by bill, House, No. 578) of Danillo A. Sena and others relative to universal access to pre-kindergarten programs; (accompanied by bill, House, No. 586) of Priscila S. Sousa relative to public preschool facility construction, reconstruction or rehabilitation; (accompanied by bill, House, No. 1934) of Alice Hanlon Peisch and Sally P. Kerans for an investigation by a special commission (including members of the General Court) relative to employer-supported child care benefits; and (accompanied by bill, House, No. 3755) of David Henry Argosky LeBoeuf for legislation to address workforce shortages in early education through educational coursework and apprenticeship participation, report the accompanying bill (Senate, No. 2619).

For the committee,  
Jason M. Lewis

**SENATE . . . . . No. 2619**

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act providing affordable and accessible high-quality early education and care to promote child development and well-being and support the economy in the Commonwealth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 1A of chapter 15D of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by inserting, after the definition of “board”, the following  
3 definition:-

4           “Caregiver”, a person living with, supervising and caring for a child whose parents are  
5 not living in the home with them or a person with legal guardianship of a child regardless of  
6 whether the child’s parents are living in the home with them.

7           SECTION 2. Said section 1A of said chapter 15D, as so appearing, is hereby further  
8 amended by inserting, after the definition of “child care center”, the following definition:-

9           “Child care financial assistance”, financial assistance given to eligible parents or  
10 caregivers for child care provided by an early education and care provider pursuant to a contract  
11 or voucher agreement with the department.

12 SECTION 3. Said section 1A of said chapter 15D, as so appearing, is hereby further  
13 amended by inserting, after the definition of “department”, the following definition:-

14 “Early education and care provider”, or “provider”, any childcare center, family child  
15 care home, large family child care home, or out-of-school time program licensed or exempt by  
16 the department of early education and care located within the commonwealth of Massachusetts  
17 that provides early education and care programs and services.

18 SECTION 4. Said section 1A of said chapter 15D, as so appearing, is hereby further  
19 amended by inserting, after the definition of “group care facility”, the following definition:-

20 “High needs”, needs that may result in an individual or family needing more services,  
21 including but not limited to any physical, mental, emotional, intellectual, cognitive, behavioral,  
22 or health related disability or condition, exposure to domestic violence, trauma history, limited  
23 English proficiency, limited literacy, homelessness or housing instability, income at or below the  
24 federal poverty line, or involvement with the department of children and families.

25 SECTION 5. Said section 1A of said chapter 15D, as so appearing, is hereby further  
26 amended by striking out, in line 100, the figure “10” and inserting in place thereof the following  
27 figure:- 12.

28 SECTION 6. Said section 1A of said chapter 15D, as so appearing, is hereby further  
29 amended by inserting, after the definition of “mixed system”, the following definition:-

30 “Operational grant”, an amount of funding from the department to early education and  
31 care providers currently enrolling children receiving child care financial assistance or certifying

32 their willingness to enroll a child receiving child care financial assistance should a family choose  
33 the provider and there is an available opening.

34 SECTION 7. Section 2 of said chapter 15D, as so appearing, is hereby amended by  
35 striking out clause (e) and inserting in place thereof the following clause:-

36 (e) establish and develop a schedule for revising: (i) a rate structure for voucher and  
37 contracted payments to early education and care providers who accept children receiving child  
38 care financial assistance, as required pursuant to section 13A, based on the payments meeting the  
39 full cost of providing high-quality early education and care programs to such children when  
40 combined with operational grant funding, fees paid by parents or caregivers, and any direct  
41 funding paid by a source other than the department to providers, in conformity with federal and  
42 state law, regulations and quality and safety standards; provided, that the rate structure shall  
43 include higher rates for the provision of care during nonstandard hours, as defined by the  
44 department, sufficient to encourage providers to offer care during nonstandard hours; provided  
45 further, that the method for reimbursement for voucher and contracted payments to early  
46 education and care providers on behalf of children receiving child care financial assistance shall  
47 be based on quarterly enrollment rather than daily attendance of participants; and (ii) a sliding  
48 fee scale for families receiving child care financial assistance which is updated at least every 5  
49 years to reflect affordability standards for participating families; provided, that recipients of child  
50 care financial assistance whose income is not more than 100 per cent of the federal poverty level  
51 shall not be charged fees for care and income for families that exceeds 100 per cent of the federal  
52 poverty level shall not exceed 7 per cent of the family's total income and shall be determined by  
53 applying the sliding fee scale to the remainder of the family's income after deducting 100 per  
54 cent of the federal poverty level. A public hearing under chapter 30A and the approval of the

55 board shall be required before the establishment or revision of the rate structure and sliding fee  
56 scale.

57 SECTION 8. Said section 2 of said chapter 15D, as so appearing, is hereby further  
58 amended by striking out clause (t) and inserting in place thereof the following clause:--

59 (t) subject to appropriation, establish the early childhood mental health consultation grant  
60 program to provide consultation services and workforce development to meet the behavioral  
61 health needs of children in early education and care programs, giving preference to those  
62 designed to prevent expulsions and suspensions from the programs and to early education and  
63 care programs serving high percentages of high needs students. The grant program shall promote  
64 efforts to ensure healthy social and emotional development in child care settings and shall  
65 include, but not be limited to: (i) consultation services utilizing on-site, child focused  
66 observations using evidence-based observation tools; and (ii) providing on-site coaching for  
67 educators to address challenging behaviors and identify and facilitate referrals for children in  
68 need of more intensive services.

69 SECTION 9. Said section 2 of said chapter 15D, as so appearing, is hereby further  
70 amended by adding the following clause:-

71 (v) annually collect from early education and care providers licensed by the department,  
72 data on: (i) the number of employees; (ii) the pay rates and employer-paid benefits; (iii) the  
73 tuition charged for full- and part-time early education and care programs by age group; (iv)  
74 numbers of children enrolled by age group, family income range, gender, race, ethnicity,  
75 country-of-origin, disability status, children receiving early intervention services and preferred  
76 language.

77 SECTION 10. Section 3A of said chapter 15D, as so appearing, is hereby amended by  
78 striking out, in line 26, the words “Bureau of Jewish Education” and inserting in place thereof  
79 the following words: Combined Jewish Philanthropies.

80 SECTION 11. Section 5 of said chapter 15D, as so appearing, is hereby amended by  
81 inserting after the words “a common and shared body of knowledge”, in line 27, the following  
82 words:- ,including cultural competency and awareness of implicit bias.

83 SECTION 12. Said chapter 15D, as so appearing, is hereby further amended by inserting  
84 after section 13 the following section:-

85 Section 13A. (a) The department shall establish an early education and care financial  
86 assistance program, subject to appropriation, which shall provide sufficient child care financial  
87 assistance to enable eligible families to afford and access high-quality early education and care  
88 programs for infants, toddlers, preschool-age, and school-age children; provided that a school-  
89 age child’s financial assistance shall continue until at least the end of the school year in which  
90 the child reaches the maximum age.

91 (b) Child care financial assistance shall be used for the purpose of subsidizing or reducing  
92 the costs to families of fees for early education and care programs for their children, including  
93 increasing per child rates set by the department, according to subsection (e).

94 (c) Child care financial assistance may be used for early education and care programs  
95 provided by public, private, non-profit, and for-profit entities licensed or approved by the  
96 department, including, but not limited to, preschools, childcare centers, nursery schools, before  
97 and after school programs, out-of-school time programs, Head Start and Early Head Start

98 programs, informal childcare providers and independent and system-affiliated family child care  
99 homes.

100 (d) The department shall provide child care financial assistance to families receiving  
101 services from the department of children and families as provided in section 2 of chapter 18B of  
102 the General Laws.

103 (e) The department shall provide child care financial assistance to: (i) recipients of  
104 transitional aid to families with dependent children; (ii) former recipients who are working or are  
105 engaged in an approved service need activity for up to 2 years after termination of their benefits;  
106 (iii) parents who are under 18 years of age who are currently enrolled in an education or job  
107 training program and who would qualify for benefits under chapter 118 if not for the  
108 consideration of the grandparents' income; and (iv) recipients of the supplemental nutrition  
109 assistance program who are participating in education and training services approved by the  
110 department of transitional assistance.

111 (f) The department shall provide child care financial assistance to families eligible in  
112 accordance with any income limits in effect under subsections (g) and (h).

113 (g) The department shall subsidize, subject to appropriation, the cost of early education  
114 and care services to all families in need of these services with incomes at or below 85 per cent of  
115 the Massachusetts state median income. Provided, should appropriations be insufficient to  
116 subsidize the cost of early education and care services to all families in need of these services  
117 with incomes at or below 85 per cent of the Massachusetts state median income, first priority  
118 shall be provided to those children whose family's household income is at or below 50 per cent  
119 of the Massachusetts state median income or a child with a documented disability whose



120 family's household income is at or below 85 per cent of the Massachusetts state median income  
121 and to all children in families who are experiencing homelessness or who are headed by a parent  
122 under the age of 20; and provided further, that second priority shall be given to children whose  
123 family's household income is above 50 per cent, but not exceeding 85 per cent of the  
124 Massachusetts state median income; provided, however, that a family with income below the  
125 federal poverty level shall not have its priority status on a waitlist negatively impacted by a  
126 family with income above the federal poverty level.

127 (h) The department shall allocate funding to increase the numbers of families receiving  
128 financial assistance based on income eligibility in stages: (i) to those eligible for financial  
129 assistance as stipulated in subsection (g); (ii) to provide child care financial assistance to all  
130 families in need of these services, whose income is above 85 per cent, but not exceeding 100 per  
131 cent, of the Massachusetts state median income; (iii) to provide child care financial assistance to  
132 all families in need of these services, whose income is above 100 per cent, but not exceeding 110  
133 per cent, of the Massachusetts state median income; (iv) to provide child care financial assistance  
134 to all families in need of these services, whose income is above 110 per cent, but not exceeding  
135 125 per cent, of the Massachusetts state median income; (v) to provide child care financial  
136 assistance to all families in need of these services whose income is above 125 per cent, but not  
137 exceeding 200 per cent of the Massachusetts state median income.

138 (i) Family income, for the purposes of eligibility for early education and care financial  
139 assistance shall include income of parents living with the child receiving subsidized care but  
140 shall not include: (i) any form of income of foster parents, caregivers or other adult family  
141 members; (ii) income of or for siblings who are not receiving subsidized care; or (iii) earned  
142 income of any minor child.

143 (j) The department shall subsidize early education and care by: (i) providing vouchers for  
144 payment to providers, enabling families to access early education and care providers of their  
145 choice; and (ii) offering families the alternative of an open space with a provider that is  
146 subsidized under the provider's contract with the department.

147 (k) The department shall require early education and care providers, as a condition for  
148 receiving payments from the department for financial assistance provided to families under this  
149 section, to enter into and comply with contractual agreements with the department. The  
150 contractual agreements shall require the provider to comply with this chapter and any other  
151 federal or state requirements necessary to receive funding for financial assistance provided to  
152 families under this section.

153 (l) The department and its agents shall not reduce, terminate or deny continued financial  
154 assistance to families until and unless the family is determined to be ineligible and is given the  
155 opportunity for an administrative appeal hearing. In situations in which the department or its  
156 agents deny a family's application for financial assistance, the department shall provide the  
157 family an opportunity for an administrative appeal hearing and shall process such appeals within  
158 60 days from the date requested.

159 (m) The department and its agents shall not reduce, terminate or deny continued child  
160 care financial assistance to families based on their household income until and unless the  
161 household income exceeds at least 85 per cent of the Massachusetts state median income or the  
162 income threshold for currently eligible families as prioritized in subsection (g) or (h), whichever  
163 is higher.

164 (n) To the extent not otherwise prohibited by federal or state law, the department shall not  
165 terminate or deny child care financial assistance on the grounds of fee arrears until and unless: (i)  
166 the family's fees and financial assistance have been adjusted, prospectively and retroactively, to  
167 take into account any reduction in income, and the arrears reduced accordingly; and (ii) the  
168 family has been offered an affordable payment plan, taking into account their income and  
169 expenses, and only if the family refused to enter into the plan. The department shall make an  
170 adjustment determination and offer an affordable payment plan within 90 days of fee arrears.  
171 Disputes about the existence or amount of fee arrears and the affordability of payment plans shall  
172 be subject to administrative appeal. The department shall accord providers the option of  
173 receiving department payment of arrears and repaying the department as the family makes  
174 payments under a payment plan.

175 (o) The department shall review the early education and care financial assistance program  
176 at least every 2 years to identify access barriers to families and opportunities to improve  
177 families' experience with the financial assistance process including, but not limited to,  
178 department paperwork and verification requirements. The department shall remove any access  
179 barriers including, but not limited to: (i) making technological improvements; (ii) streamlining  
180 the application and renewal processes; (iii) improving outreach to potentially eligible families  
181 regarding the availability of financial assistance and the process for applying; (iv) ensuring  
182 access for families whose primary language is not English; (v) establishing procedures to screen  
183 families for the need for disability accommodations and provide these accommodations; (vi)  
184 ensuring that the department, through its agents and employees, promptly responds to  
185 communication by parents and caregivers; and (vii) ensuring that families with children with

186 high needs are informed of openings with providers that focus on serving such families and  
187 children.

188 (p) The department shall adopt regulations necessary to implement this section after  
189 providing the opportunity for public comment. Public comment on regulations proposed pursuant  
190 to this subsection shall be accepted through both testimony at public hearings and written  
191 comments and shall be adopted only after consideration of these comments.

192 SECTION 13. Subsection (a) of section 17 of said chapter 15D, as so appearing, is  
193 hereby amended by striking out the definitions of “Family child care provider” and “Family child  
194 care services” and inserting in place thereof the following 2 definitions:-

195 “Family child care provider”, a person who provides family child care services on behalf  
196 of children receiving child care financial assistance and receives payment from the  
197 commonwealth for such services.

198 “Family child care services”, child care services provided for less than 24 hours per day  
199 in the residence of the provider on behalf of children receiving child care financial assistance for  
200 which payment is made from the commonwealth.

201 SECTION 14. Subsection (b) of said section 17 of said chapter 15D, as so appearing, is  
202 hereby amended by striking out, in line 32, the words “under a rate structure for voucher and  
203 contracted payments”.

204 SECTION 15. Said section 17 of said chapter 15D, as so appearing, is hereby further  
205 amended by striking out subsection (h) and inserting in place thereof the following subsection:-

206 (h) In addition to the mandatory subjects under subsection (g), the department and an  
207 employee organization certified by the department of labor relations as the bargaining  
208 representative of family child care providers shall bargain about the rate structure for voucher  
209 and contracted payments for family child care services on behalf of children receiving child care  
210 financial assistance.

211 SECTION 16. Said chapter 15D is hereby further amended by adding the following 3  
212 sections:-

213 Section 19. (a) The department shall establish an operational grant program to distribute  
214 operational grants, subject to appropriation. Operational grants shall be granted for educator  
215 compensation and credentialing as well as early education and care program quality and  
216 sustainability. Operational grant uses shall include, but not be limited to: (i) compensating early  
217 education and care provider staff through increased salaries, benefits, bonuses, professional  
218 development or access to continuing education opportunities; (ii) increasing affordability of early  
219 education and care to families by reducing the tuition and fees paid by families or offering  
220 scholarships to families; (iii) enabling early education and care providers to provide high-quality  
221 early education and care and to comply fully with all applicable health, safety, educational,  
222 quality-assurance and other requirements of this chapter as well as any requirements imposed by  
223 the department consistent with this chapter; (iv) improving facilities and physical spaces used by  
224 the provider; (v) enabling early education and care providers to purchase high-quality, evidence-  
225 based early literacy materials; (vi) enabling providers to address emergency situations, during  
226 which the cost of care significantly increases due to additional federal, state or department  
227 requirements or the loss of fees due to absence or unenrollment that jeopardizes early education  
228 and care providers' ability to retain their facilities and staff; or (vii) enabling early education and

229 care providers to maintain or increase capacity to provide voluntary supplemental services to  
230 enrolled children and their families, such as social work services, health and disability-related  
231 services and support to parents and caregivers.

232 (b) The department shall establish a formula for distributing operational grants to  
233 providers, which shall consider, at a minimum, the following: (i) the provider's licensed capacity  
234 and enrollment, including the ages of the children enrolled and for whom the provider has  
235 capacity; (ii) the location of the provider, availability of care in the area and additional costs  
236 associated with the provider's location; (iii) the demographics of the families served by the  
237 provider including how many children receiving financial assistance attend, the income level of  
238 families and other pertinent demographic data that may influence the needs of the families and  
239 children served; (iv) the number of children with high needs enrolled including those with  
240 disabilities, limited English proficiency and other factors as determined by the department; (v)  
241 the cost of quality care methodology established by the department and until such time as the  
242 methodology is established, any available information regarding the cost of quality early  
243 education and care including available credentialing frameworks and applicable salary  
244 guidelines; (vi) any other factors impacting costs to the provider of providing quality care in  
245 areas of need including, but not limited to, serving infants and toddlers, providing non-standard  
246 hours of care and providing care to children and families with high needs for whom there are  
247 shortages of early education and care slots; and (vii) promoting racial equity. The department  
248 shall annually review and update this formula based on relevant data.

249 (c) The department shall require early education and care providers, as a condition for  
250 receiving grants under this section, to: (i) enter into and comply with contractual agreements  
251 with the department (ii) continue or certify their willingness to enroll a child receiving child care

252 financial assistance should a family choose the provider and there is an available opening; (iii)  
253 comply with any recommended salaries, compensation and benefits put forth by the department  
254 pursuant to clause (11) of section 5, or if the funding the provider receives is insufficient,  
255 increase salaries, compensation, and benefits to the extent possible; and (iv) provide data that the  
256 department requires, as needed to carry out the department's assessment and reporting  
257 requirements under this chapter.

258 (d) The department shall develop enforceable compliance standards that demonstrate that  
259 early education and care provider openings are accessible to children receiving child care  
260 financial assistance with a goal of increasing financial assistance utilization and methods for  
261 ensuring that providers receiving operational grant funding meet the standards before renewing  
262 their funding.

263 (e) Absent any changes in circumstances and assuming compliance with all requirements  
264 in subsections (c) and (d) and otherwise determined as necessary by the department, operational  
265 grants shall be renewed to each provider annually.

266 (f) A public hearing under chapter 30A and the approval of the board shall be required  
267 before the establishment or revision of the operational grant formula and enforceable compliance  
268 standards.

269 Section 20. The board shall, subject to appropriation, establish the early education and  
270 care educator scholarship program for early education and care sector educators in the  
271 commonwealth pursuant to clause (10) of section 5 of this chapter.

272 The commissioner, in consultation with the commissioner of higher education and the  
273 early education and care workforce council, established under section 79 of chapter 154 of the

274 acts of 2018, shall make recommendations to the board establishing appropriate guidelines,  
275 standards and application criteria for the administration of the program, including mechanisms to  
276 ensure the scholarship provides meaningful improvements in the delivery of high-quality early  
277 education and care across the commonwealth.

278 (b) The scholarship program shall be administered by the department through a  
279 memorandum of understanding with the department of higher education.

280 (c) The scholarship may be used to cover the cost of tuition, fees and related expenses,  
281 including supports unique to the diverse learning needs of the field such as personal childcare  
282 expenses in order to attend classes and class meetings and other supports deemed appropriate by  
283 the board for degree granting programs for early educators who are pursuing associate or  
284 bachelor level degrees to meet the teacher and program quality standards of the department.

285 (d) The amount of each scholarship shall, at a minimum, be sufficient to cover the full  
286 cost of tuition and associated fees for 1 semester of classes at a Massachusetts community  
287 college.

288 (e) Eligible recipients shall be current or prospective early education and care educators  
289 and providers employed by early education and care providers in the commonwealth who  
290 commit to teaching for early education and care providers for a term of service after graduation  
291 to be determined by the board and shall reflect the diversity of the commonwealth's early  
292 education and care workforce.

293 (f) Preference shall be given to applicants identified as providers who have displayed a  
294 proven commitment to early childhood education as demonstrated by longevity in the field.



295 (g) The program shall be administered by the department in a manner that ensures  
296 recipients receive adequate support in selecting programs and courses that lead to credentials and  
297 further their career in early education and care.

298 (h) The board shall, subject to appropriation, establish the early education and care  
299 educator loan forgiveness program for early education and care sector educators in the  
300 commonwealth pursuant to clause (10) of section 5 of this chapter with preference given to  
301 applicants identified as providers who have displayed a proven commitment to early childhood  
302 education and who work in communities predominantly serving children and families with high  
303 needs or areas with a shortage of early education and care slots.

304 Section 21. (a) Annually, by February 15, the department shall submit a report to the  
305 clerks of the house of representatives and the senate, the joint committee on education, and the  
306 house and senate ways and means committees on the department's use of funds in the previous  
307 fiscal year as required by this section. The department may submit the information required by  
308 this section in its annual report required by subsection (g) of section 3. The report shall include  
309 information as required by subsections (b) through (f) of this section.

310 (b) The cost and use of all child care financial assistance provided by the department  
311 pursuant to section 13A, including, but not limited to: (i) the number of licensed or exempt early  
312 education and care providers; (ii) the total cost of the child care financial assistance provided by  
313 the department or its agents; (iii) the utilization of available contracted slots and vouchers by  
314 region and type of care provider; (iv) number of children enrolled by age group, the total  
315 number of all children receiving child care financial assistance by region, age, type of care,  
316 family income range, gender, race, ethnicity, country-of-origin, disability status, children

317 receiving early intervention services and preferred language; (v) the monthly average number of  
318 children on the department's financial assistance wait list by region, age, type of care, race and  
319 ethnicity, disability status of the child, primary language of the household, adults in the  
320 household and income range of the household; and (vi) the average monthly number and  
321 percentage of utilized contracted slots by region.

322 (c) The distribution of operational grants pursuant to section 19 including, but not limited  
323 to; (i) a description of the formula through which funding is allocated to providers; (ii) an  
324 analysis of the incorporation of equity into the formula; (iii) an analysis of the demographic data  
325 of the families served by participating programs; (iv) recommendations as to how the program  
326 could be modified to most effectively direct grant funding to communities and for families with  
327 the greatest need, including families receiving child care financial assistance through the  
328 department, families living in census tracts with higher proportions of Black, Indigenous and  
329 people of color, gateway municipalities, and communities with a high social vulnerability index  
330 or with a median income below 85 per cent of the state median income; (v) recommendations to  
331 amend the program's grant formula to maximize the goals of educational equity, school  
332 readiness and optimal results for families and communities with the greatest needs including, but  
333 not limited to (A) appropriate funding levels for operational supports for programs participating  
334 in the grant program in census tracts with higher proportions of Black, Indigenous and people of  
335 color, gateway municipalities, and communities with a high social vulnerability index or with a  
336 median income below 85 per cent of the state median income; (B) enhance equity adjustments  
337 for programs located in census tracts with higher proportions of Black, Indigenous and people of  
338 color, gateway municipalities, and communities with a high social vulnerability index or with a  
339 median income below 85 per cent of the state median income; (C) limit, expand or further

340 prioritize operational grants to optimally support high quality programming including  
341 recruitment and retention of the early education workforce; (D) establish grant participation  
342 eligibility prioritizations or exclusions justified by supporting information; and (E) any other  
343 recommendations the department deems necessary.

344 (d) The cost and use of all allocations of funding to early education and care providers  
345 under this chapter, including identifying the providers funded, the amount the provider received,  
346 and information on the number of providers funded by region, ages served, type of provider, and  
347 percentage of enrolled children receiving financial assistance.

348 (e) Application information including: (i) the number of applications for child care  
349 financial assistance; (ii) the numbers of applications for child care financial assistance denied,  
350 broken out by the reason for denial; (iii) the numbers of requests for review made by families of  
351 the denial of their applications for or ending of their child care financial assistance,  
352 disaggregated by the reason for denial of the application for or end of the financial assistance  
353 and, of those, the numbers of requests for review that: (A) resulted in a decision that reversed the  
354 application denial or financial assistance ending, (B) resulted in a decision that upheld the denial  
355 or ending of the family's financial assistance, or (C) were undecided as of the end of the 12-  
356 month reporting period; and (iv) the number of requests for an administrative hearing made by  
357 families of the denial of their applications for or ending of their child care financial assistance,  
358 broken out by the reason for denial of the application for or ending of the financial assistance  
359 and, of those, the numbers (A) that resulted in a hearing decision that reversed the application  
360 denial or financial assistance ending, (B) that resulted in a hearing decision that upheld the  
361 application denial or financial assistance ending, (C) in which a hearing was not held as of the

362 end of the 12-month reporting period, or (D) in which a hearing was held but the decision was  
363 not issued as of the end of the 12-month reporting period.

364 (f) Information about providers including: (i) the number of employees by race and  
365 ethnicity; (ii) the salary bands and employer-paid benefits provided to employees, separated by  
366 job position, and within that, separated by part-time and full-time employee designation, race and  
367 ethnicity, and job location within the commonwealth; and (iii) the levels of pay rates and  
368 employer-paid benefits compared to levels reported in the previous 3 reporting years.

369 SECTION 17. The executive office of labor and workforce development, in consultation  
370 with the department of early education and care, shall develop recommendations to the  
371 legislature regarding opportunities to expand employer support for early education and care for  
372 workers. In developing the recommendations, the EOLWD shall consider (i) identifying and  
373 promoting employer best practices and exploring incentives for employers to support additional  
374 early education and care benefits for their employees; (ii) expanding state partnerships with the  
375 business community to identify and share best practices and explore incentives for employers to  
376 support employees who have young children; (iii) improved collaboration across secretariats of  
377 state agencies to engage with the business community; (iv) incentives or requirements for  
378 employers of a certain size or specific subgroups of employers to provide employer-supported  
379 early education and care benefits to employees; (v) the feasibility of assessing all or certain  
380 employers in order to fund expanded access to high-quality, affordable early education and care  
381 in the commonwealth; and (vi) any other matters related to the expansion of employer-supported  
382 early education and care benefits in the commonwealth.

383           The executive office shall submit a report to the clerks of the house of representatives and  
384 the senate, the joint committee on education, the joint committee on labor and workforce  
385 development, and the house and senate committees on ways and means on or before March 1,  
386 2025.

387           SECTION 18. Not later than December 31, 2024, the department of early education and  
388 care shall file a report with the clerks of the house and the senate, the chairs of the house and  
389 senate committees on ways and means, and the joint committee on education, on a plan to  
390 expand local partnerships including strategies and resources necessary to address community-  
391 based program expansion plans currently in development under the Commonwealth Preschool  
392 Partnership Initiative grant. The report shall identify means by which existing programming may  
393 be continued using existing resources available to providers in the mixed delivery system. The  
394 report shall also identify strategies for expanding the number of slots available in communities  
395 currently receiving Commonwealth Preschool Partnership grants and best practices to expand  
396 local partnerships to more communities including through mixed delivery programs administered  
397 by the local school system, municipal scholarship programs directly to families based on  
398 successful models already being implemented in certain municipalities, and other approaches to  
399 expand access to public high-quality care. The report shall be made publicly available on the  
400 department of early education and care’s website in accordance with section 19 of chapter 66 of  
401 the General Laws.

402           SECTION 19. Not later than December 31, 2024, the department of early education and  
403 care in consultation with the Children’s Investment Fund and the Community Economic  
404 Development Assistance Corporation shall file a report with the joint committee on education,  
405 and the house and senate committees on ways and means detailing proposed improvements to the

406 Early Education and Out of School Time Capital fund including, but not limited to, eligibility  
407 criteria, sizes of grants, ways to streamline the application process, any other parameters to  
408 increase the impact of this fund, and any data available on unmet need for early education and  
409 care facilities improvements.

410 SECTION 20. The department of early education and care, the executive office of labor  
411 and workforce development and the commonwealth corporation, in conjunction with regional  
412 workforce boards, shall jointly conduct a study and report on enhancing the early education  
413 workforce pipeline and developing strategies and prioritizing programming and funding  
414 opportunities to ensure that the early educator workforce meets the needs of the commonwealth.  
415 Said report shall include but not be limited to, providing recommendations on the following: (i)  
416 recruitment of new early educators; (ii) the development of apprenticeship programs and non-  
417 traditional recruitment opportunities; (iii) opportunities for collaboration between providers and  
418 vocational schools with curriculums that include early education and care; (iv) the retention of  
419 early educators (v) incentivizing the development of family child care providers; and (vi)  
420 exploring the potential for the growth of family child care providers into center-based programs.  
421 Said report shall take into consideration existing resources pursuant to clause (12) of section 5 of  
422 chapter 15D of the General Laws and may make recommendations regarding additional  
423 resources which would be required to fully implement the report. The department of early  
424 education and care, the executive office of labor and workforce development and the  
425 commonwealth corporation shall file its report with the clerks of the house of representatives and  
426 the senate, the joint committee on education, the joint committee on labor and workforce  
427 development, and the house and senate committees on ways and means no later than January 1,

428 2025. The report shall be made publicly available on the department of early education and  
429 care's website in accordance with section 19 of chapter 66 of the General Laws.

430 SECTION 21. Not later than January 15, 2025, the department of early education and  
431 care shall file a report with the clerks of the house and the senate, the chairs of the house and  
432 senate committees on ways and means and the joint committee on education, on design and  
433 implementation plans for the early education and care educator scholarship program and loan  
434 forgiveness program pursuant to chapter 15D. The report shall be made publicly available on the  
435 department of early education and care's website in accordance with section 19 of chapter 66 of  
436 the General Laws.

437 SECTION 22. Not later than March 31, 2025, the department of early education and care  
438 shall assess the extent of current supply and the unmet needs of families eligible for child care  
439 financial assistance, taking into account relevant differences among locations within the  
440 commonwealth including: (i) subsidized transportation of children to and from early education  
441 and care providers; (ii) early education and care services for time periods outside standard hours;  
442 (iii) substitute care on days on which the family's regular early education and care provider is  
443 unavailable; and (iv) any other factors that prevent families from accessing state early education  
444 and child care financial assistance and to assess the cost of addressing these unmet needs.

445 The department of early education and care shall file a report with the clerks of the house  
446 and the senate, the chairs of the house and senate committees on ways and means, and the joint  
447 committee on education. The report shall be made publicly available on the department of early  
448 education and care's website in accordance with section 19 of chapter 66 of the General Laws.

449 SECTION 23. Not later than March 31, 2025, the department of early education and care  
450 shall establish a methodology that the department will use for assessing and updating the full  
451 costs of high-quality early education and care throughout the commonwealth. This methodology  
452 will be used to determine child care financial assistance reimbursement rates and operational  
453 grant amounts which are adequate to help meet the cost of providing high-quality early education  
454 and care. The methodology shall take into account all aspects of providers' operations and  
455 responsibilities and costs that vary with location, type of provider, age ranges of the children  
456 served, and service to children with high needs.

457 The methodology shall include at least the following components: (i) pay and benefits to  
458 all staff, taking into account staff-to-child ratios needed depending on age ranges and service to  
459 children with high needs, curriculum planning time, as well as necessary non-educational staff  
460 activities, such as communications with families and department staff; (ii) professional  
461 development and instructional coaching for staff involved in the direct education and care of  
462 children; (iii) occupancy, including rent, utilities, maintenance, and improvements to physical  
463 environment; (iv) furnishings, appliances, equipment, office supplies and administration,  
464 including internet, telephone, insurance, permits, and taxes or fees; (v) educational supplies and  
465 curricula, observational tools, and toys; (vi) nutritious meals and snacks; (vii) transportation  
466 services for children to, from, and between early education and care providers, schools, and  
467 home; and (viii) costs of additional services to children and families with high needs including  
468 staff and staff training needed for accommodating children with disabilities or other high needs,  
469 interpreter services, mental health supports and other wraparound services for children, mental  
470 health supports for staff, trauma-informed care practice, and staff time required to provide



471 comprehensive family engagement and services to ensure effective early education and promote  
472 multi-generational success.

473 The methodology shall annually be increased at the rate of inflation and the methodology  
474 shall be reassessed and accordingly adjusted no less than once every 5 years.

475 SECTION 24. (a) Not later than March 31, 2025, the department of early education and  
476 care shall develop and file a report on an early education and care career ladder pursuant to  
477 clause (11) of section 5 of chapter 15D of the General Laws.

478 (b) The career ladder shall include (i) minimum recommended salaries and compensation  
479 for each level of the career ladder which are commensurate with the salaries of public school  
480 teachers with equivalent credentials and training when required for a position, (ii) minimum  
481 recommended benefits for provider staff, including but not limited to health insurance, retirement  
482 benefits, paid vacation, and other leave time, and (iii) recommendations for linking professional  
483 development and educational credentials to increased compensation and leadership opportunities  
484 in the field of early education and care.

485 (c) The department shall file the report with the clerks of the house and the senate, who  
486 shall forward the report to the chairs of the house and senate committees on ways and means, and  
487 the joint committee on education. The report shall be made publicly available on the department  
488 of early education and care's website in accordance with section 19 of chapter 66 of the General  
489 Laws.

490 (d) The department shall review the salaries, compensation and benefits structure and  
491 guidelines annually and update them, as needed, based on increased cost of living and other  
492 factors deemed relevant by the department to determine appropriate compensation for the field.

493 (e) The salaries, compensation and benefits guidelines developed under this section shall  
494 not preclude provider staff from exercising any rights they may have to collective bargaining  
495 about salaries, compensation and benefits.

496 SECTION 25. Not later than October 1, 2025, the department of early education and care  
497 shall file a report with the clerks of the house and the senate, the chairs of the house and senate  
498 committees on ways and means and the joint committee on education on a plan to pilot, scale,  
499 and evaluate on a regular basis shared services and quality licensed hubs for early education and  
500 care providers including family child care providers. The report shall be made publicly available  
501 on the department of early education and care's website in accordance with section 19 of chapter  
502 66 of the General Laws.